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TRANSMITTAL FORM

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Total Number of Pages in This Submission 3

Application Number ~~10/670,740~~ **10/687748**

Filing Date 10/20/2003

First Named Inventor Abe Nishiki

Art Unit 3734

Examiner Name Christina D. Gettman

Attorney Docket Number

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
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<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name			
Signature			
Printed name	Clyde I. Coughenour		
Date	April 16, 2008	Reg. No.	33,083

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/687,748
Applicant : Abe Nishiki
Filed : 10/20/2003
TC/A.U. : 3734
Examiner : Christina D. Gettman
Customer No. : 51702
For : A PLIERS-LIKE TOOL FOR CURING PHIMOSIS

Commissioner for Patents
P.O. Box 1450
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RESPONSE

Sir:

This is a response to the Examiner's allegation, in a paper mailed 3/28/2008, that the claims on appeal were not listed on page 6, under iii.

Please replace page 6 with "substitute Page 6" wherein the claims on appeal are clearly set forth.

Respectfully submitted


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iii. Status of Claims

Claims 1-19 are present in this application.

Claims 1-16 are rejected and are being appealed herewith.

More specifically the claims appealed from are:

Claims 1, 2 and 11 are rejected under 35 USC 102(b) as being anticipated by Cox, U.S. 4,754,746.

Claims 3 - 8 and 12 are rejected under 35 USC 103(a) as being unpatentable over Cox in view of Ping, U.S. 6,116,124.

Claim 9 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Schenk, U.S. 4,257,406.

Claim 10 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Schenk and Tiedemann, U.S. Publication No. 2003/0233119.

Claims 13 - 15 are rejected under 35 USC 103(a) as being unpatentable over Cox in view of Tillier, U.S. 1,477,786.

Claim 16 is rejected under 35 USC 103(a) as being unpatentable over Cox in view of Roux, U.S. 4,124,929.

Claims 17 - 19 are withdrawn and not appealed herewith.

Claims 17 - 19 are withdrawn from consideration under 37 CFR 1.142(b) as being drawn to a non-elected invention.